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States Government

Department of Energy

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memorandum

JAN 27 2 47 PM '93 Rocky Flats Office

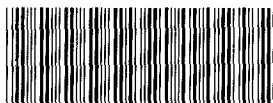
ACTION

DIST. LTR ENC

BENEDETTI, R.L.	<input checked="" type="checkbox"/>
BENJAMIN, A.	<input type="checkbox"/>
BERMAN, H.S.	<input type="checkbox"/>
CARNIVAL, G.J.	<input type="checkbox"/>
CORDOVA, R.C.	<input type="checkbox"/>
CROUCHER, D.W.	<input type="checkbox"/>
DAVIS, J.G.	<input type="checkbox"/>
FERRERA, D.W.	<input type="checkbox"/>
HANNI, B.J.	<input type="checkbox"/>
HEALY, T.J.	<input type="checkbox"/>
HEDDAHL, T.G.	<input checked="" type="checkbox"/>
HILBIG, J.G.	<input type="checkbox"/>
IDEKER, E.H.	<input type="checkbox"/>
KIRBY, W.A.	<input type="checkbox"/>
KUESTER, A.W.	<input type="checkbox"/>
LEE, E.M.	<input checked="" type="checkbox"/>
MANN, H.P.	<input type="checkbox"/>
MARX, G.E.	<input type="checkbox"/>
McKENNA, F.G.	<input type="checkbox"/>
MORGAN, R.V.	<input checked="" type="checkbox"/>
PIZZUTO, V.M.	<input type="checkbox"/>
POTTER, G.L.	<input type="checkbox"/>
RILEY, J.H.	<input type="checkbox"/>
SANDLIN, N.B.	<input type="checkbox"/>
SATTERWHITE, D.G.	<input type="checkbox"/>
SCHUBERT, A.L.	<input type="checkbox"/>
SETLOCK, G.H.	<input type="checkbox"/>
SHEPLER, R.L.	<input type="checkbox"/>
SULLIVAN, M.T.	<input type="checkbox"/>
SWANSON, E.R.	<input type="checkbox"/>
WILKINSON, R.B.	<input type="checkbox"/>
WILSON, J.M.	<input type="checkbox"/>
ZANE, J.O.	<input type="checkbox"/>

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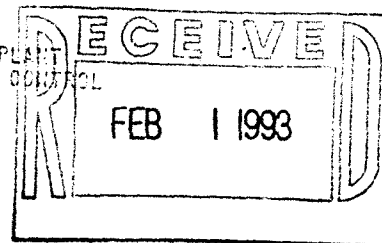
WMED:NM:00268



Delisting Pondcrete

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EG&G
ROCKY FLATS PLANT
CORRESPONDENCE CONTROL



Edward M. Lee, Program Manager
Solar Ponds Remediation, Bldg 080/P. Edrich, RCRA Regulatory Program
EG&G Rocky Flats, Inc.

- Reference
- 1: Memorandum 92-RF-14518, Subject: Delisting Pondcrete from the Solar Ponds Remediation Program - EML192-92
 - 2: Memorandum EML-187-92, Subject: Lines of Authority and Responsibility Regarding Solar Ponds Remediation Program -EML-187-92

The Rocky Flats Office (RFO) Waste Management and Environment Division (WMED) and the Environmental Restoration Division (ERD) have reviewed the two memorandums listed above. We offer the following comments to assist you in negotiations with a delisting subcontractor and formulating the most accurate Statement of Work possible.

1. Statement. "The existing data available on pondcrete will fulfill much of the analysis requirements. Please note, however, that to demonstrate that a waste does not warrant retaining designation as a hazardous waste, a successful petition must include both the constituents for which the waste was listed and additional constituents. Some sampling specifically designed for the delisting effort is likely to be necessary."

Comment: The comprehensive chemical analysis done by Halliburton/NUS on individual pond and clarifier sludges is excellent. We believe no additional sampling and analysis is necessary until the delisting subcontractor and a qualified analytical chemist have reviewed the Halliburton data and concluded that specific pieces of information are required to make our delisting petition successful. We are aware that HazWrap reviewed the Halliburton Treatability Study and had some concerns about the analytical work done to support certifiable concrete. HazWrap reports should be reviewed by EG&G, DOE and given to the delisting subcontractor. The statement in the regulations that "additional constituents analysis" is required to delist does not mean the entire Appendix VIII Hazardous Constituents List should be analyzed.

2. Statement. "Tasks include reviewing available data, preparing and executing a plan to obtain additional data and providing face-to-face interaction with the regulators."

Comment: Face to face interaction with the regulators, Task #46, Present delisting Plan to the Colorado Department of Health (CDH) and Task #48, CDH Review and Approval of Sampling Plan, are unnecessary steps which will not advance the probable success of our delisting petition. Martin Marietta pursued a similar strategy

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TRAFFIC

Reviewed for Addressee
Corres. Control RFP

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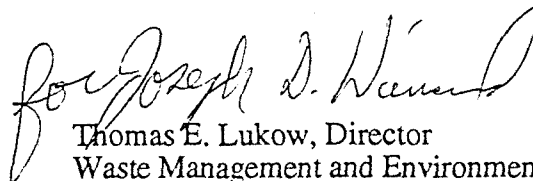
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by getting CDH approval of a sampling plan and was ultimately lulled into a false sense of security. Martin's delisting would have been more successful if an analytical chemist familiar with the Resource Conservation and Recovery Act (RCRA) and a toxicology background had designed the sampling plan. The RFO is requesting that an analytical chemist familiar with RCRA and having some toxicology background examine the Halliburton data before any additional sampling and analysis is done.

3. Statement. "Task #55 Submit to CDH, Task #56 CDH Consideration of Petition, Task #57 Receive Approval or Denial of Petition."

Comment: This delisting petition is completely dependent upon startup of the Halliburton pondcrete processing trains. Any dates estimating review time by the CDH should reflect the fact the South Adams County Delisting took 14 months and the Martin petition submitted in October of 1991 has still not been formally approved or denied. It is RFO's goal to have a delisting petition ready to submit to CDH when the first Halliburton block rolls off the end of the packaging train. The expected chemical analysis on the first Halliburton pondcrete block which is expected to validate Halliburton treatability data can be placed directly in the delisting petition for submittal to the regulators.

We suggest a meeting during the week of January 18, 1993, to discuss delisting strategy, a delisting outline to submit to the subcontractor, and inclusion of the State of Nevada. Before the meeting, the delisting file Noreen Matsuura of RFO gave to Bill Bruniga of EG&G on January 6, 1993, should be reviewed by all involved parties. EG&G should review all delisting petitions printed in the 1992 Federal Registers. We have taken the liberty to ask Pam Goode of EG&G to do a computer search and printout of delisting text in the 1992 Federal Registers. Please contact Scott Surovchek at extension 3551, Noreen Matsuura at extension 2926, or Steve Howard at extension 3040 to set up a meeting.


Thomas E. Lukow, Director
Waste Management and Environment Division

cc:

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S. Howard, WOB, RFO
T.G. Hedahl, EG&G
B. Bruniga, EG&G
F. Lockhart, ERD, RFO
S. Surovchak, ERD, RFO
K. London, EG&G
R.V. Morgan, EG&G